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Letter dated 17 February 2016 from the Secretary-General addressed to the President of the Security Council

The present letter is submitted pursuant to paragraph 15 of Security Council resolution 2254 (2015), in which the Council requested me to report within 60 days on the implementation of the resolution. The information contained herein is based on information available to United Nations bodies and agencies from the Government of the Syrian Arab Republic and from open sources.

Negotiations on a political transition process

In paragraph 1 of resolution 2254 (2015), the Security Council reconfirmed its endorsement of the final communiqué of the Action Group for Syria (Geneva communiqué) of 30 June 2012, endorsed the two Vienna statements of 30 October and 14 November 2015 in pursuit of the full implementation of the communiqué, as the basis for a Syrian-led and Syrian-owned political transition in order to end the conflict in the Syrian Arab Republic, and stressed that the Syrian people would decide the future of the Syrian Arab Republic. In that context, in paragraph 2 of the resolution, the Council requested me, through my Special Envoy for Syria, to convene representatives of the Government of the Syrian Arab Republic and the opposition to engage in formal negotiations on a political transition process. In paragraph 4, the Council expressed its support for a Syrian-led political process facilitated by the United Nations that would, within a target of six months, establish credible, inclusive and non-sectarian governance and set a schedule and process for drafting a new constitution.

Following the adoption of resolution 2254 (2015) on 18 December 2015, my Special Envoy, Staffan de Mistura, carried out intensive consultations throughout January 2016 with members of the International Syria Support Group and with representatives of the Government of the Syrian Arab Republic and the opposition. From 5 to 9 January, he visited Riyadh, Ankara, Damascus and Tehran to that effect.

On 26 January, my Special Envoy sent invitations to the Government of the Syrian Arab Republic and the High Negotiations Commission (the opposition), requesting both to form 15-member delegations to participate in United Nations-facilitated negotiations on a political transition process in order to resolve the conflict and lay the foundations for a lasting settlement. Ten representatives of the meetings held in Moscow and Cairo were invited individually to join the Special Envoy in Geneva as he began the process of negotiations.

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The Syrian participants were invited to engage initially in a proximity format and on the basis of the agenda put forward in resolution 2254 (2015). In his letter to all participants, my Special Envoy stated that, as the mediator, he would determine the modalities and workplan to implement the agenda, in consultation with the participants.

On 29 January, with the arrival in Geneva of the government delegation, my Special Envoy launched the talks. The first official meeting with the delegation of the High Negotiations Commission was held on 1 February. A second meeting with the government delegation was held on 2 February. Separate informal meetings were also held with the two delegations on 3 February.

In its meetings with my Special Envoy, the government delegation made it clear that the Government wished to see the comprehensive implementation of the Security Council resolution, not selective implementation such as beginning with humanitarian issues. It also sought clarifications on procedural matters regarding the conduct of and participation in the proximity talks in Geneva, especially in relation to the composition of the opposition delegation. While repeating that it had come to Geneva to discuss any matter relating to the implementation of the resolution, the government delegation insisted, more than once and forcefully, on first receiving those clarifications; until then it considered the negotiations to be in a preparatory phase.

The delegation of the High Negotiations Commission, in its first meeting with my Special Envoy, voiced demands relating to lifting sieges, ceasing aerial bombardment, ensuring humanitarian access and releasing detainees. Those demands, it insisted, were obligations outlined in paragraphs 12 and 13 of resolution 2254 (2015) and should be implemented by the relevant parties without delay before engaging in any political discussion.

On 5 February, my Special Envoy formally met the group of opposition figures associated with the meetings held in Moscow and Cairo. On the same day, and as part of his efforts to ensure the adequate participation of women in the negotiations in line with relevant Security Council resolutions, he met the women's advisory board nominated by Syrian women's organizations for the talks and 17 representatives of Syrian civil society organizations.

In the light of the positions articulated by the parties and the lack of progress in implementing possible humanitarian initiatives aimed at positively affecting the lives of the Syrian people, my Special Envoy announced a recess in the talks on 5 February. The environment for negotiations was also affected by increased aerial bombings and military activities on the ground.

Against that backdrop, the International Syria Support Group met in Munich, Germany, on 11 and 12 February and reaffirmed the importance of all sides engaging in negotiations under the auspices of the United Nations as soon as possible in order to advance a political transition in strict compliance with resolution 2254 (2015).

Nationwide ceasefire

In paragraph 5 of resolution 2254 (2015), the Security Council expressed its support for a nationwide ceasefire to come into effect as soon as the representatives of the Government and the opposition had begun initial steps towards a political transition under the auspices of the United Nations. In paragraph 6, it requested the

United Nations to lead the effort to determine the modalities and requirements for a ceasefire and urged Member States to support and accelerate all efforts to achieve a ceasefire. In paragraph 7, it requested me to report on options for a ceasefire monitoring, verification and reporting mechanism and encouraged Member States to provide assistance to support such a mechanism.

As indicated in the resolution, there is also a close link between a ceasefire and a parallel political process. Confidence in the political process would increase the prospects for a ceasefire; in turn, a reduction in violence would help to provide a more conducive environment for negotiations. Interim de-escalation measures could also contribute to creating such an environment in the lead-up to a ceasefire. In that context, the International Syria Support Group agreed in Munich that a nationwide cessation of hostilities must be urgently implemented. The Support Group stated that the cessation should apply to any party currently engaged in military or paramilitary hostilities against any parties other than Islamic State in Iraq and the Levant (ISIL), the Nusrah Front or other groups designated as terrorist organizations by the Security Council. It also established a ceasefire task force under the auspices of the United Nations, co-chaired by the Russian Federation and the United States of America, to develop, within one week, modalities for a nationwide cessation of hostilities. It further agreed that the cessation of hostilities would begin in one week, after confirmation by the Government and the opposition and following consultations in the Syrian Arab Republic.

At the time of writing, the task force was just beginning to develop the modalities for the cessation of hostilities, including structures for reporting and assessing non-compliance. At the same time, pursuant to paragraph 7 of the resolution, my Special Envoy had previously reported to the Security Council on 18 January on possible modalities for a ceasefire and options for its monitoring, verification and reporting. Those modalities and options are described below, but should not be seen as prejudging the work of the task force.

Once in place, ceasefire monitoring and verification are likely to require at least two levels of in-country structures: physical monitoring and verification at the local level and an oversight body covering the entire country. There could also be an intermediate provincial level.

All the levels should include a dispute resolution function to address and de-escalate breaches of the ceasefire or any precursor de-escalation arrangements, proactively reduce tensions and build confidence. On the ground, monitoring could be complemented by independent information resources, such as satellite imagery and other data sources.

The operating environment in the Syrian Arab Republic is likely to remain highly fragmented, volatile and militarized for the foreseeable future. As such, a flexible approach to international oversight of ceasefire arrangements is envisaged. In particular, it would be extremely difficult under the current conditions to envisage any deployment of United Nations monitors to conduct physical monitoring and observation tasks on the ground. Achieving any form of verification of actions taken by the parties would also be almost impossible in the current context. Options for enabling an effective international contribution to credible ceasefire monitoring, verification and reporting are, however, something towards which we must all work.

Bearing in mind those constraints, the spectrum of monitoring options can be broadly categorized as monitoring by local Syrian parties (the Government, non-State armed opposition groups and civil society), physical monitoring by local parties with indirect or remote international support and assistance, direct physical monitoring by international parties (the International Syria Support Group or other States) and direct physical monitoring by the United Nations. It is likely that multiple options could be implemented simultaneously, depending on the security environment and the nature of the conflict in the various parts of the country. As the ceasefire evolves, there could also be a transition between options.

Security conditions and political acceptance will determine the presence and nature of any monitoring by international actors, ranging from indirect or remote support to a direct role in physical monitoring at the local level. Given the operating environment on the ground, the Security Council will need to understand and accept the risks involved in mandating any international monitoring to be undertaken at the local level.

Determining terrorist groups

In paragraph 8 of resolution 2254 (2015), the Security Council reiterated its call in resolution 2249 (2015) for Member States to prevent and suppress terrorist acts by ISIL, the Nusrah Front and all other entities associated therewith and to eradicate the safe haven that they had established in significant parts of the Syrian Arab Republic. In paragraph 9, the Council welcomed the efforts of the Government of Jordan to develop a common understanding within the International Syria Support Group of individuals and groups for possible determination as terrorists and stated that it would expeditiously consider the recommendation of the Support Group for the purpose of determining terrorist groups.

Pursuant to Security Council resolution 1373 (2001), Member States are to introduce a set of legislative and institutional counter-terrorism measures to prevent terrorists from committing crimes or to bring them to justice. The measures may be used by any group of Member States to counter activities that they jointly consider to be of a terrorist nature. They must be taken in compliance with international law, including human rights law, humanitarian law and refugee law.

If the International Syria Support Group were to agree on a list of groups and individuals to be potentially designated as terrorists, that list would need to be processed in accordance with international norms and standards and in compliance with international law in order to help to unite global counter-terrorism efforts and enhance cooperation among all Member States in combating terrorism in the Syrian Arab Republic.

Confidence-building measures

In paragraph 10 of resolution 2254 (2015), the Security Council emphasized the need for all parties in the Syrian Arab Republic to take confidence-building measures to contribute to the viability of a political process and a lasting ceasefire and called upon all States to use their influence to advance them. In paragraph 11, the Council requested me to report on options for further confidence-building measures.

It should be noted that, in the resolution, the Security Council demanded that the parties to the Syrian conflict should allow humanitarian access, in particular to besieged areas; release arbitrarily detained persons, in particular women and children; cease attacks against civilians and civilian objects as such, including attacks against medical facilities and personnel, and any indiscriminate use of weapons, including through shelling and aerial bombardment; and comply with their obligations under international law.

Many of the steps are pre-existing obligations under international humanitarian law and human rights law. The negotiation of their immediate implementation could, however, help to advance the political process and a ceasefire. Their inclusion as potential confidence-building measures does not negate or detract from their legal character. In that light, the term "further confidence-building measures" is taken to mean those measures that are not listed in the resolution and that could contribute to the viability of the political process and a lasting ceasefire.

As the political negotiations begin, my Special Envoy will aim to introduce confidence-building measures as one of the streams of the talks. Potential measures that the parties to the negotiations could agree to take in the short term include:

(a) Publicly undertaking to respect the political status of the participants in the talks, including committing themselves to not issuing or to revoking arrest warrants for them and their immediate families;

(b) Committing themselves to further enabling access to and freedom of movement for civilians in areas besieged by their forces and undertaking to ensure humanitarian access to those areas, including lifting all restrictions on the presence of medical and surgical supplies in humanitarian convoys;

(c) Conducting prisoner exchanges and addressing the issue of missing persons and, as a first step, releasing information on detainees and missing persons;

(d) Reciprocally agreeing to end the use of indiscriminate weapons and the indiscriminate use of weapons such as barrel bombs, cluster munitions, hell cannons and land mines in and around civilian areas;

(e) Committing themselves to halting attacks on civilian objects and infrastructure, including medical and education facilities and water and electricity networks, and generally taking adequate precautions so as not to damage or destroy civilian objects;

(f) Agreeing to provide access, in the territory that they control, to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities, or the Analytical Support and Sanctions Monitoring Team, the Organization for the Prohibition of Chemical Weapons Fact-Finding Mission, the Organization for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism and the Independent International Commission of Inquiry on the Syrian Arab Republic in order to demonstrate their will to see the implementation of Security Council resolutions 2118 (2013), 2139 (2014), 2165 (2014), 2235 (2015) and 2253 (2015) and Human Rights Council resolution S-17/1.

In the light of the agreement reached by the International Syria Support Group in Munich on 11 February on humanitarian access and a cessation of hostilities, some of the confidence-building measures need to be implemented before the resumption of negotiations.

Humanitarian and human rights obligations

In paragraph 12 of resolution 2254 (2015), the Security Council called upon the Syrian parties to immediately allow humanitarian agencies access throughout the Syrian Arab Republic and to release any arbitrarily detained persons, called upon States members of the International Syria Support Group to use their influence immediately to those ends and demanded the full implementation of resolutions 2139 (2014), 2165 (2014), 2191 (2014) and any other applicable resolutions.

The United Nations and partners are continuing to deliver assistance to millions of people in need from within the Syrian Arab Republic and across borders, pursuant to resolutions 2139 (2014), 2165 (2014), 2191 (2014) and 2258 (2015). For example, in 2015, the United Nations and partners delivered, on average and per month, food assistance for 6 million people, safe drinking water for more than 8 million people, non-food items for in excess of 4.8 million people and health interventions for some 14 million people. Non-governmental organizations, including pro-opposition organizations, and the Government continued to provide basic services in various parts of the country.

Since the adoption of resolution 2254 (2015), the delivery of humanitarian assistance to the 13.5 million people in need in the Syrian Arab Republic has remained extremely challenging in many areas as a result of active conflict, shifting conflict lines and deliberate restrictions by the parties.

Access to the 4.6 million people in besieged or hard-to-reach areas remains of critical concern. The situation is particularly grave for the 486,700 people in besieged areas, of whom some 274,200 are besieged by the Government, 200,000 by ISIL and 12,500 by non-State armed groups and the Nusrah Front. In 2015, the United Nations was able to deliver humanitarian assistance to only around 1 per cent of people in besieged areas and to fewer than 10 per cent of people in hard-to-reach areas.

Since the adoption of resolution 2254 (2015), intensified conflict in several governorates has further hindered the effective delivery of assistance and access to essential services. For example, humanitarian operations have been severely disrupted in Aleppo governorate since early February 2016 as a result of the recent intensification of ground fighting and air strikes by the Government and the Russian Federation in the northern part of the governorate. Elsewhere, heavy fighting between the Syrian parties and continued air strikes by the Government and its allies in Rif Dimashq, Homs, Hama, Ladhiqiyah and Dar'a governorates have disrupted humanitarian activities and affected the delivery of life-saving assistance.

The demands of the Security Council notwithstanding, at the time of writing all parties to the conflict were continuing to restrict humanitarian access to people in need. In particular, the current administrative procedures put in place by the Government continue to severely constrain and delay the delivery of assistance by United Nations agencies and its partners across conflict lines. While figures for 2016 are not yet available, in 2015 just in excess of 10 per cent of the 113 requests for inter-agency convoys to cross-line locations resulted in the delivery of life-saving assistance. Almost 75 per cent of the requests were not answered by the Government. The cumulative impact on the ground of the restrictions is tangible: in 2013, the United Nations reached some 2.9 million people through the inter-agency convoy mechanism, but only 620,000 in 2015.

In 2016, the United Nations and partners have to date conducted inter-agency convoys to the besieged areas of Madayah, Zabadani, Fu'ah and Kafraya, as well as to Wa'r in Homs. While requests to send convoys to several other locations have been granted, the vast majority are pending the approval of the Syrian authorities. Reports also continue to be received that non-State armed opposition groups and listed terrorist groups, especially ISIL, are continuing to restrict or impede the efficient delivery of assistance in areas under their control.

Access to basic medicines and medical care continues to be limited by insecurity and restrictions imposed by parties to the conflict. At the time of writing, the World Health Organization had submitted some 15 requests to the Government to send medicines and medical supplies for 2.5 million people in besieged and hard-to-reach locations in nine governorates that were pending approval. Furthermore, the Government continues to remove medical items from United Nations convoys. For example, the security forces removed medical kits from an inter-agency convoy that delivered assistance to some 40,000 people in Wa'r on 4 February. Meanwhile, humanitarian access for health sector actors in ISIL-controlled areas remains restricted.

In a welcome development, the International Syria Support Group agreed in Munich that sustained delivery of humanitarian assistance should begin within days of 11 February to Dayr al-Zawr, Fu'ah and Kafraya and the besieged areas of Rif Dimashq, Madayah, Mu'addamiyah and Kafr Batna by air and land for as long as humanitarian needs persisted. This is intended as a first step towards sustained and unimpeded humanitarian access throughout the Syrian Arab Republic, based on a plan to be submitted by the United Nations following consultations with the Support Group humanitarian task force. The task force began its work on 12 February with the participation of all Support Group members and the United Nations. It was agreed that the United Nations would resubmit requests for access to six besieged areas, referring to the statement adopted by the Support Group in Munich, for an intended delivery date of 17 February, and that the task force would meet the following week to assess progress.

With regard to detainees, the Independent International Commission of Inquiry on the Syrian Arab Republic reported on 3 February that hundreds of eyewitness accounts and documentary evidence strongly suggested that tens of thousands of people were being detained by the Government at any one time (the Government has denied the Commission and other international human rights monitoring organizations direct access to the country). It also found a countrywide pattern since March 2011 in which civilians, mainly males above 15 years of age, were being arbitrarily arrested and detained by the security and armed forces or by pro-Government militias and subjected to massive and systematized violence, torture and death in captivity. On 26 January, the United Nations received another periodic note verbale from the Government in which it was indicated that 305 detainees who had signed written pledges not to take up arms had been released. The United Nations is not in a position to confirm the information.

The Commission also found that, while incidents of killing, torture and related violations against detainees had occurred in areas controlled by non-State armed opposition groups and the Nusrah Front, it was difficult to document an institutionalized pattern of mass arrests and arbitrary detention, torture and killing of detained civilians in areas controlled by most of those groups.

The Commission further found that ISIL was continuing to illegally hold a large, unknown number of detainees for extended periods, subjecting many to torture and routinely conducting summary executions. Journalists and activists, as well as civilians deemed to violate regulations or decrees imposed by ISIL, were found to have been subjected to unlawful deprivation of liberty, torture and ill treatment.

In paragraph 13 of resolution 2254 (2015), the Security Council demanded that all parties to the conflict should immediately cease any attacks against civilians and civilian objects and any indiscriminate use of weapons, welcomed the commitment by the International Syria Support Group to press the parties in that regard and demanded that all parties should immediately comply with their obligations under international law.

Since the adoption of resolution 2254 (2015), attacks on civilians and civilian infrastructure, including schools, hospitals, markets and essential services, have continued with total impunity, depriving civilians of basic and essential services and further increasing humanitarian needs throughout the country. The attacks included indiscriminate and disproportionate aerial bombings and ground attacks by government forces, supported by allies, and indiscriminate shelling by non-State armed opposition groups and designated terrorist groups that continued to kill, injure and displace civilians.

Attacks on schools have continued unabated. According to the United Nations Children's Fund, some 35 schools in the Syrian Arab Republic were attacked in 2015, with 1 in 4 closed, damaged or destroyed, and attacks have continued into 2016. The frequency of attacks on hospitals and medical facilities is also continuing to increase. According to Physicians for Human Rights, 2015 was the worst year on record for attacks on medical facilities — with at least 112 attacks — and the deaths of 107 medical personnel. From March 2011 to November 2015, Physicians for Human Rights documented 336 attacks on medical facilities, 305 of which were conducted by the Government or allied forces. In addition, the United Nations and health partners have received reports, which are being verified, of 13 attacks on medical facilities in January 2016.

The parties to the conflict also continue to target and disrupt water, electricity and other essential networks. Water and electricity to the cities of Aleppo and Damascus were cut off by non-State armed opposition groups and listed terrorist groups over the course of 2015, affecting millions of people. Most recently, on 17 January 2016, ISIL cut off the water supply to Aleppo governorate from the Khafsah water pumping station on the Euphrates River, which used to supply water to 3.5 million people per day. Throughout the country, public spaces such as markets also continue to be targeted by air strikes, causing large-scale civilian casualties and disrupting access to food and other basic items. For example, on 20 December, just two days after the adoption of resolution 2254 (2015), six air strikes reportedly hit locations in the city of Idlib, including the local courthouse, a residential neighbourhood and a market, reportedly leaving 95 civilians dead and at least 170 injured.

Safe and voluntary return of refugees and displaced persons

In paragraph 14 of resolution 2254 (2015), the Security Council underscored the critical need to build conditions for the safe and voluntary return of refugees and internally displaced persons to their home areas, in accordance with international

law. This was reaffirmed by the International Syria Support Group in its statement adopted in Munich.

Currently, the situation is not conducive to the active facilitation or promotion of returns owing to the prevailing security situation and limited humanitarian access to many areas of origin. An unknown number of Syrian internally displaced persons and refugees have returned spontaneously, at their own initiative, especially over the past year. Spontaneous returns are often not prompted by measurable security improvements in areas of origin, instead being caused by other factors, such as shortfalls in assistance or protection needs, impediments to being reunited with family members owing to admission restrictions put in place by host countries or a lack of access to livelihoods in host countries.

Similarly, returns take place in difficult conditions, often as a result of inability on the part of internally displaced persons to sustain themselves and their families in the locations to which they have been displaced. Sporadic returns have been reported, especially in areas in which the previously contested security situation has stabilized or where there are local agreements or other arrangements.

Humanitarian agencies seek to assist those who have returned to their areas of origin, but significant challenges remain. Humanitarian access remains severely impaired by a wide range of factors, including insecurity and shifting conflict lines, the targeting of humanitarian workers and facilities, the closure of key access routes, burdensome administrative procedures, a complex regulatory environment for cross-border activities, the forced relocation of civilians and restrictions on freedom of movement.

The conference held in London on 4 February to support the Syrian Arab Republic and the region was a genuine and significant success and marks a change in the humanitarian response of the international community to the crisis. It succeeded in raising an unprecedented $11.3 billion for those affected between 2016 and 2020. Without a political solution to the conflict, however, increased humanitarian assistance and policy measures to provide longer-term support for refugees and host countries will not of themselves create conditions conducive to voluntary return in conditions of safety and dignity.

Conclusion

In the present letter, I have reported on the implementation of resolution 2254 (2015), including the tasks assigned to the United Nations therein. Clear tasks were also given, however, to the Syrian parties, the International Syria Support Group, all Member States and the Security Council itself.

In particular, the Security Council called upon the Syrian parties to take confidence-building measures to advance the political process and ceasefire and also demanded that they should meet their fundamental humanitarian and human rights obligations. Moreover, it called upon all States to use their influence with the parties and specifically upon members of the International Syria Support Group to immediately press the parties towards those ends.

In his briefing to the Security Council on 18 January, my Special Envoy specifically identified sustained and unimpeded humanitarian access to all besieged areas as essential to creating a credible foundation for the intra-Syrian talks that he was about to convene. Without that in place and in the light of the offensive in

Aleppo and continued aerial bombardment, it was extremely difficult for him to continue with the preparatory phase of the talks in Geneva beyond 5 February.

The agreement reached by the International Syria Support Group on 11 February represents a precious opportunity for the early resumption of the talks on a more credible basis. With Support Group task forces established on a cessation of hostilities and humanitarian access, the resumed talks should concentrate on advancing a political transition pursuant to the Geneva communiqué by negotiating the establishment of credible, inclusive and non-sectarian governance and setting a schedule and process for drafting a new constitution within six months. I also take note, in particular, that Support Group members pledged to do all that they could to facilitate rapid progress in the negotiations.

The statement adopted by the International Syria Support Group in Munich at long last goes beyond mere calls for humanitarian access. There is now an agreed set of actions and an immediate timeline to achieve the life-or-death goal of humanitarian access to besieged and hard-to-reach areas and ultimately throughout the country. Until we can attain that goal and make a difference in their daily lives on the ground, Syrians will rightly continue to be sceptical about the international community and the credibility of negotiations to end the devastating conflict. The United Nations will do its part to ensure that the international community collectively meets this test through the humanitarian access task force, which began its work on 12 February. The Organization has also already begun preparations for humanitarian deliveries to the locations identified in the statement.

The nationwide cessation of hostilities agreed to in Munich is a further welcome development and has the potential to produce progress on two other key obligations under resolution 2254 (2015): the immediate cessation of attacks against civilians and civilian objects and any indiscriminate use of weapons. Those principles should become core elements of the nationwide cessation of hostilities. The United Nations also stands ready to convene the ceasefire task force with its Co-Chairs, the Russian Federation and the United States. At the same time, and as we make progress on those issues, we must also not lose sight of the fact that in resolution 2254 (2015) the Security Council called for the release of any arbitrarily detained persons, including in particular women and children.

In addition to political, humanitarian and ceasefire aspects, resolution 2254 (2015) contains calls upon Member States to combat ISIL, the Nusrah Front and other terrorist groups designated by the Security Council. The proposed cessation of hostilities will not apply to those groups. I hope that progress in defining the modalities for implementing a reduction in violence in the coming days will also enable greater military cooperation in combating the terrorist organizations listed by the Council.

I call upon members of the Security Council and the International Syria Support Group to faithfully and comprehensively implement resolution 2254 (2015) and follow through on the commitments that they made in the statements adopted in Vienna and Munich to use their influence over the Syrian parties in that respect.

The recent surge in military activity in Aleppo governorate further underscores the need for the members of the International Syria Support Group to live up to their commitment made in Munich to exercise influence for an immediate and significant reduction in violence leading to a cessation of the hostilities. The latest shelling and

bombardments have destroyed many more Syrian lives, in addition to schools and hospitals, and have created large numbers of internally displaced persons, many of whom will become refugees. The escalated military activity by several parties and the threats to resort to the further use of force risk derailing efforts to find a sustainable political solution and the ability of my Special Envoy to credibly reconvene the talks.

Rarely are the international community and the Security Council presented with as stark a choice as the one that they now have before them. On the one hand, the Council can proceed to implement its own resolution 2254 (2015) and associated agreements on humanitarian access to the most vulnerable of Syrians, de-escalate the violence, combat terrorism and resume negotiations on the political roots of the Syrian conflict. On the other, the Syrian parties and their supporters can continue to pursue the bankrupt logic of a military victory, which has already led to the deaths of more than 250,000 Syrians, the greatest humanitarian crisis of our time and the creation of safe havens for terrorist organizations such as ISIL and the Nusrah Front.

I repeat my call upon the Security Council to refer the situation in the Syrian Arab Republic to the International Criminal Court. Those responsible must be held accountable for the appalling crimes that continue to be committed.

The United Nations will do all it can to further the implementation of resolution 2254 (2015), but will require genuine, committed and sustained backing from the Security Council and the States members of the International Syria Support Group to be successful. It must not be forgotten that it is, first and foremost, the responsibility of the Syrian parties to end the conflict in line with the principles laid out in resolution 2254 (2015), the statements adopted by the International Syria Support Group and the Geneva communiqué.

(*Signed*) **BAN** Ki-moon